App. F. IX-4

Previous References.

Cy 73-21 Sh 1+2+81
SYA 203-41 Sh 1-2

Later References.

SRA 540-41 (1-2)

194/. (SYA)

File No. 297-41
Serial Nos. 1-2

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Preserve

Serial Nos. Two

Part B for March 1942

SUBJECT.

Re - Refund of their contribution to the Electrical provident fund to messrs G. Ramakrishniah and S. Ramaswamy Iyengar.

To The Comptroller
The General Supt- C.P. Scheme
The Auditor, Electrical Dept.

No 71 S-65-7-SG dy 25-2-1942

Direct that Mr S. Ramaswamy Iyengar be admitted to the ~~benefit~~ benefits of the pension Scheme.

Copy to the Electrical Secretary

SRC.
9-3-1942

Re: Refund of their contribution to the Electrical Provident Fund to Messrs G. Ramakrishniah and S. Rama Iyengar

General and Revenue Secretariat | SJA File No. | of 1941. | [App. F. III

Serial No.

From

The Comptroller

Letter No. Spl X7.60/ dated 6-1-

Requests as orders as to whether, in the circumstances stated, Messrs G. Ramakrishniah and S. Ramaswamy Iyengar of the Electrical Audit Office are eligible to pension and (2) also solicits orders as to whether service prior to 1st July 1919 should necessarily be in the Electrical Dept for purposes of determining the eligibility of a person to pension.

Re: (1)

(a) Mr G. Ramakrishnia

Flag D — entered service on 1-11-1915 in the regular establishment of the ~~Electrical Dn~~ P.W.D and continued to serve there till 15-9-1921. It is stated

Flag E — in his Service Register that his services were terminated in the P.W.D and he was relieved of his duties in that Dept on the after noon of 15-9-1921; He was re-employed in the Electrical Dept on the 16th Sept

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

Re Refund of Tew contribution to the Electrical Provident Fund to Messrs C. Ramakrishnaiah & S. Ramaswamy Iyengar

Serial No.

1921

The Before considering whether the officials is eligible to pension or not, the circumstances under which from the Executive Engineer's letter No 2088 dated 27-9-1921 addressed to the Chief Electrical Engineer, it may be observed that the case of the official has been treated not as a transfer. Flag F

Before considering whether he is eligible to pension, information as to the circumstances under which his services were terminated in the P W D may be ascertained.

(6) Mr S. Ramaswamy Iyengar.

Entered service on 25-11-1914 as Mechanic in the regular establishment of the P W D. He was transferred to the Electrical Insp Contractor's office on 22-7-1915 as temporary Accounts Clerk and continued in that office till 18-12-23 Flag G

Serial No.

when he was finally transferred to the Electrical Dept.

Flag H

From the above, it may be observed that the servicing ~~of~~ official, who was at first entertained in a department where services are pensionable, was later on transferred to a non-pensionable service.

If the transfer was effected not at the instance of the official but in the exigencies of service; then the case of the official deserves sympathetic consideration.

Re: point 2

In order to entitle a person to come within the ~~ambit~~ scope of G.O. No E.D.S. 425-428 dated 15-8-41, it is necessary that service should necessarily be in the Electrical Dept.

Flag N

But doubtful cases should invariably be referred to govt. bearing in mind that each case has to be decided on its merits.

Submitted for orders

Ks
26/1/42

Re J.L. refund of Tfn contributions to the Electrical Provident Fund to Messrs C. Ramakrishnan & S. Ramaswami Iyengar

File No. 27 of 1941.

General and Revenue Secretariat.

Serial No.

Since the pension scheme has been newly extended to the men of the Electric deptt. on certain conditions individual cases of doubt have been coming up to Govt for clarification & orders. Relaxation in one case forms a precedent for another. Regarding Mr. G. Ramaswamiah, the Comptroller holds that his case cannot come under Art. 267(b) of T.S.R. since his services were terminated in the P.W.D. & it was not a case of resignation. Moreover, it may be added that under this Article, resignation is not considered a bar if the service taken up after resignation counts. At the time of the termination of Mr. G. Ramaswamiah's services in the P.W.D, the appointment in the Elec. Deptt. taken up by him did not count for service, as the deptt. itself was non-pensionable. He cannot therefore take advantage of this article, nor was his entry into the Elec. Deptt. prior to July 1919. In these circumstances, he does not seem to be ~~entitled~~ entitled to the pension benefits recently extended to the officials of the Elec. Deptt.

The case of Mr. S. Ramaswamiengar is different. Though strictly he is not also entitled to the advantages of the pension scheme, under the G.O. of 15/8/1941, his case is analogous that of Mr. Y. Subbarao & since the latter has been given the concession, the same has

pension cases in the Elec. Deptt

General and Revenue Secretariat | SRA File No. 21 | of 194 . | [App. F. III–2

Serial No.

perhaps to be conceded to Mr. Ramaswamy also on the strength of the precedent.

Submitted for orders

Sd/ 21/1/42

Many Officials have started their service in a provincial Deptt like P.W.D or Comptr's Office, their cases for pension stands on a better footing with that of Officials of E.D. who get the benefit of pension scheme and gratuity. Hence it is quite reasonable to treat the case of messrs S. Ramakrishna & S. Ramaswamy Iyengar, Srinivasa & Subbarao & their Comptr's period may be agreed

Sd/ 21/1/42

The opinion of the Medical Secretary may be obtained if he may be desirable to know whether some analogous cases exist in the Admve side also.

31/1/42 JDS 31/1

1665 / 2.2.42

Sd/ 2/2

Secretary, Elec Deptt

31/1/42

I do not think Mr. S. Ramakrishna's case entitles him to pension, as he joined the electric Deptt in Sept 41, having put up service in the Public. In the case Mr. Ramaswamy Iyengar it is all

NOTE—Contn. Sheet

Serial No. A

he was in service the pensionable service was non pensionable one, right at his own choice. As M. G. Subbarao's case has been decided & he has been given pension M. Ramaswami Iyengar's case should also be decided in that manner as M. Subbarao was in identical circumstances & he also given pension

I agree with the views recorded by the Chief Secretary. The two officials recommended, A alone may be sd

6.2.42

(Mr Jothi)

6.2

6.2.42

A draft of a G.O is put up for orders.

It is submitted that the Comptroller has incidentally solicited orders as to whether service prior to 1-7-1919, should necessarily be in the Electrical Dept for purposes of determining the eligibility of a person to pension. Kind reference is invited to this office note dated 20/1/42.

Please authorise as indicated

17.2

17.2

17/2

No E.D.S. 2359
5.2.42.

OFFICE OF THE ... FOR FINANCE & REVENUE
- 6 FEB. 1942
No 4646.

No orders appear necessary. Each case being considered by Govt on merits

17.2

Serial No.

A revised draft is put up for orders

Draft appd. Issue of orders is being delayed. It has taken 15 days in this simple case. The Supdt will please push up Camerons Power Expeditions disposal of work

Mr. Ks. Statement

To

The Comptroller
The General Supdt
Cauvery Power Scheme
The Auditor, Electrical Dept

No Fl 5457-59 dated 25-2-42

Directs that Mr. S. Ramaswamy Iyengar be admitted to the benefits of Pension Scheme ~~as intimated to~~

Copy to:-

The Electrical Secty

NOTE—Cont. Sheet.

WD 04155—GPB—55,000—23-10-41

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No Spl 700/1 Letter & Service Books

Bangalore, dated 6th January *194*2

From

M. VIRARAJA URS, Esq., B.A., B.L.,
Comptroller to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

To

Rajasevaprasaktha
A.N.Raghavachar, Esq., M.A.,
Financial Secretary to the Govt. of Mysore,
Bangalore.

GEN. & REV. SECRETARIAT.
9 JAN. 1942
2643
FINANCIAL BRANCH.

SA 297-41-1

Sir,

Re. Refund of their contribution to the Electrical Department Provident Fund to Messrs.G.Ramakrishniah and S.Ramaswamy Iyengar of Electrical Audit Office

****

I have the honor to forward herewith a copy of letter No.4798 dated 8th December 1941 and two service books, received from the Auditor, Electrical Department and to state as follows:-

Mr.G.Ramakrishniah was employed in the regular establishment of the Public Works Department from 1st November 1915 to 15th September 1921 (afternoon) and it is stated in his Service Register that his services were terminated in the Public Works Department and that he was re-employed in the Electrical Department. His service has however been continuous in view of his having been employed in the Electrical Department from 16th September 1921 (forenoon). Article 267 (b) quoted by the Auditor, for reckoning the service in the two departments as continuous for purposes of pension is not applicable in this case. It applies only to cases where the parties have themselves resigned service for taking up appointments elsewhere. The case of Mr.S.Ramaswamy Iyengar, however, is similar to that of Mr.Y.Subba Rao, Accounts Clerk, Electrical Audit Office, which has been referred to Government in this office letter No.411 Spl dated 28th October 1941. The Auditor has stated that in both the cases the entire periods of service of the two employees in the different departments have been taken into account for determining the bonus creditable to their accounts for

service

service prior to 1st July 1926.

As the officials are stated to have applied for refund of their contribution to the Electrical Provident Fund as per letter No.EDS.1203 dated 11th November 1941 and the question as to whether they are eligible for pension is not free from doubt in view of their having entered service in the Electrical Department subsequent to 1st July 1919, I request orders of Government in the matter.

2) In this connection, I wish to state that from the wordings of Para 3 of Government Order No.EDS 425-428 dated 15th August 1941 it is necessary that an employee should have entered service in the Electrical Department prior to 1st July 1919, to be eligible for pension but many cases are likely to come up hereafter where an employee may have been employed in a pensionable department of Government but transferred to the Electrical Department subsequent to 1st July 1919. I therefore request orders of Government if service prior to 1st July 1919 should necessarily be in the Electrical Department alone, for purposes of audit

I have the honor to be,
Sir,
Your most obedient servant,

M. Ramaraja Rao
Comptroller.

G. R. S. App. F VI—G. 2]

SUBJECT.....

.....

.....

Copies

Diary No. of letter replied to .....

Section SHA

File No. 297-41

Serial No. 2

General and Revenue Secretariat

( )

the 19 .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 28/2/1942

Signed by

Read—

Letter G.O. No E.D.S. 425-428 dated 15-8-41 sanctioning the benefit of pension to certain employees borne on the regular establishment of the Electrical Dept

Order thereon.—No. 2) Letter No Fpl 700 dated 6-1-42 from the Comptroller reporting that Messrs G. Ramakrishniah Junior Accountant Electrical Audit Office, and S. Ramaswamy Iyengar, Accounts clerk, Bangalore

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the Press?

(vi) published in the Gazette, Kannada Part?

25/2/42

Power and Lighting, have
applied for the refund of their
contribution to the Electrical
Provident Fund and soliciting
orders as to whether the above
officials are eligible to pension
under the scheme sanctioned
in the G.O read above.

Order No 5457-59 — Encl 1 Letter and 2 Service Regns

It is reported
that Mr S Ramaswamy
Iyengar, Accounts Clerk,
Bangalore Power and Lighting
entered service on 25-11-1914
in the regular establishment
of the P.W.D and continued
to serve in that Dept as
temporary Mistry daily till
21-7-1915. He was transferred
to the office of the Comptroller
on 22-7-1915 wherein he
continued to serve as Clerk

List of Enclosures

Copied by

Examined by

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

till 18-12-23 when he was finally transferred to the Electrical Dept.

In the circumstance Govt direct that M.S. Ramaswamy Iyengar, Accounts Clerk, Bangalore Power and Lighting, be admitted to the benefits of pension scheme as sanctioned in the G.O read above.

As regards, Mr B. G. Ramakrishniah, Junior Accountant, Electri Audit Office, it is reported that he joined service in the regular establishment of the P.W.D. on 1-11-1915 as temporary Asst Ledger Clerk, Cauvery Reservoir Works. and was holding temporary appointments

WD 03603—GPB—15,000—8-7-35

in the P.W.D till the afternoon of 15-9-21 and was ~~[illegible]~~ appointed as a Bill Clerk in the Electrical Dept with effect from 16-9-1921 (forenoon)

It is however, stated that according to the entries made in this Service Register at the time of his being employed ~~[illegible]~~ in the Electrical Dept, his services in the P.W.D were treated as ~~to having~~ been terminated and he was considered to have been re-employed in the Electrical Dept. Govt do not therefore consider that Sri G. Ramakrishnaiah is eligible to pension benefits

23/1/22
Sd/ F.C. Secy to Govt
23/2

To
The Comptroller (with the records)
The General Superintendent
Cauvery Power Scheme Bangalore
The Auditor Electrical Dept
Copy to- The Electrical Secretary